

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of

Inventor: Reyi Darling

Serial No.: 10/500,570 (Tentative)

Filed: N/A

International Application No.: PCT/CA01/01798

Filed: December 12, 2001

For: SYSTEM FOR CONTROLLING
DISTRIBUTION OF AIR TO DIFFERENT
ZONES IN A FORCED AIR DELIVERY
SYSTEM

Examiner: N/A

Group Art Unit: N/A

Client ID/Matter No. FETHE-68821

Express Mail No.: EV 533673493 US

November 18, 2004

PETITION TO CORRECT U.S. NATIONAL PHASE FILING DATE (37 CFR §1.181)

U.S. Designated/Elected Office
Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attn: PCT Legal Office

Dear Sir:

This petition is in response to the reply to our Status Inquiry of October 20, 2004.

The reply to our Status Inquiry indicated that the above-noted application was filed in the

Repln. Ref: 12/01/2004 SAHMED1 0007425500

DA# 062425 Name/Number: 10500570

FC: 9204 U.S. national stage on June 16, 2004. It is requested that the U.S. national stage filing

date be corrected to June 10, 2004.

Adjustment date: 12/01/2004 SAHMED1

11/24/2004 MKAYPAGH 00000002 00000570

01 FC:1460 -130.00 OP

filed the U.S. national phase application by Express Mail on June 10,

2004. Enclosed is a copy of Express Mail Label EV 323136954 bearing the U.S. Postal

11/24/2004 MKAYPAGH 00000002 00000570

11/24/2004

120.00 BP

Service date stamp of June 10, 2004, along with a copy of the returned postcard showing that the U.S. national phase application was received by the U.S. Patent and Trademark Office. Also enclosed is a copy of the transmittal letter and fee sheet filed with the national phase application on June 10, 2004.

Applicant respectfully requests that the above-noted application be accorded the U.S. national phase application filing date of June 10, 2004.


Our check in the amount of \$130.00 for the petition fee is enclosed. Please charge any additional fee due in connection with this matter and credit any overpayment to Deposit Account No. 06-2425.

A Declaration and Power of Attorney appointing the attorneys listed under PTO Customer No. 24,201, including the undersigned, was filed on November 3, 2004.

Respectfully submitted,

FULWIDER PATTON LEE & UTECHT, LLP

By:


David J. Pitman

Registration No. 48,777

DJP/rvw

Encls.: Return Postcard

Express Mail Label EV 323136954

Copy of returned postcard

Transmittal letter and fee sheet

Check

Howard Hughes Center
6060 Center Drive, Tenth Floor
Los Angeles, CA 90045
Telephone: (310) 824-5555
Facsimile: (310) 824-9696
Customer No. 24201

71225.1

FORM PTO-1390 (Modified)
(REV. 07-2004)

U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371

FETHE

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/500,570

INTERNATIONAL APPLICATION NO.
PCT/CA01/01798INTERNATIONAL FILING DATE
December 12, 2001

PRIORITY DATE CLAIMED

TITLE OF INVENTION

**SYSTEM FOR CONTROLLING DISTRIBUTION OF AIR TO DIFFERENT ZONES IN A FORCED AIR
 DELIVERY SYSTEM**

APPLICANT(S) FOR DO/EO/US

REYI DARLING

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 23 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☐ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A power of attorney and/or change of address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13^{ter}.2 and 37 CFR 1.821 - 1.825.
20. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. ☒ Express Mail Label No. EV 534835759 US
23. ☒ Other items or information:

Return Postcard and Submission of Declaration and Power of Attorney

U.S. APPLICATION NO (if known, see 37 CFR 1.5) 10/500,570	INTERNATIONAL APPLICATION NO. PCT/CA01/01798	ATTORNEY'S DOCKET NUMBER FETHE 68821
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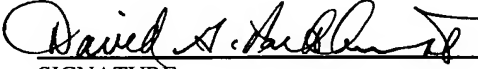
24. The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)) : <input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1110.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$950.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$790.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$750.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00 <div style="text-align: right;">ENTER APPROPRIATE BASIC FEE AMOUNT =</div>				CALCULATIONS PTO USE ONLY <table border="1" style="width:100%; border-collapse: collapse;"> <tr><td style="height: 100px;"></td></tr> </table>					
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				<table border="1" style="width:100%; border-collapse: collapse;"> <tr><td style="width:50%;">\$0.00</td><td style="width:50%;"></td></tr> <tr><td>\$0.00</td><td></td></tr> </table>		\$0.00		\$0.00	
\$0.00									
\$0.00									
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE						
Total claims	- 20 =	0	x \$18.00	\$0.00					
Independent claims	- 3 =	0	x \$86.00	\$0.00					
Multiple Dependent Claims (check if applicable). <input type="checkbox"/>				\$0.00					
TOTAL OF ABOVE CALCULATIONS =				\$0.00					
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$0.00					
SUBTOTAL =				\$0.00					
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$0.00					
TOTAL NATIONAL FEE =				\$0.00					
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). <input type="checkbox"/>				\$0.00					
TOTAL FEES ENCLOSED =				\$0.00					
				Amount to be refunded	\$				
				charged	\$				

- a. ☐ A check in the amount of _____ to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees.
- c. ☒ The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-2425
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

David G. Parkhurst
 FULWIDER PATTON LEE & UTHECT, LLP
 Howard Hughes Center
 6060 Center Drive - 10th Fl.
 Los Angeles, CA 90045



 SIGNATURE

 David G. Parkhurst

 NAME

 29,422

 REGISTRATION NUMBER

 November 3, 2004

 DATE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of

Inventor: Reyli Darling

Serial No.: 10/500,570

International Application No.: PCT/CA01/01798

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For: SYSTEM FOR CONTROLLING
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SYSTEM

Examiner: N/A

Group Art Unit: N/A

Client ID/Matter No. FETHE-68821

Express Mail Mo. EV 534835759 US

SUBMISSION OF DECLARATION AND POWER OF ATTORNEY

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir

Enclosed is the Declaration and Power of Attorney for the above-identified application. A Notification of Missing Requirements Under 35 U.S.C. 371 has not yet been received. The \$130.00 surcharge for filing the oath was paid on filing of the

application. It is believed that no additional fees are due in connection with this submission. However, if any fees are due, the Commissioner is authorized to charge any such fees to Deposit Account No. 06-2425.

Respectfully submitted,

FULWIDER PATTON LEE & UTECHT, LLP

By: David G. Parkhurst
David G. Parkhurst
Registration No. 29,422

DGP/rvw

Encls. Return Postcard

Declaration and Power of Attorney

Howard Hughes Center
6060 Center Drive, Tenth Floor
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70402.1